

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ANGELO LOPES

Plaintiff,

-against-

Case No.:
20-CV-00314

JLM DECORATING NYC INC., COSMOPOLITAN
INTERIOR NY CORPORATION, JLM
DECORATING, INC., CITY VIEW BLINDS OF N.Y.
INC., MOSHE GOLD, JOEL GOLD a/k/a SAM
GOLD a/k/a SHIMMY GOLD, and MARITZA
RODRIGUEZ a/k/a MARITZA SIME

**DECLARATION OF MOSHE
GOLD IN SUPPORT OF
MOTION FOR SUMMARY
JUDGMENT**

Defendants.
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STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

I, **MOSHE GOLD**, declare under penalty of perjury that the foregoing is true and correct.

1. I am the owner and President of the corporate entities named as Defendants in the instant litigation. I am also named personally as a Defendant.
2. Plaintiff Angelo Lopes was employed by the corporate Defendants from September 2015 until his termination in June 2019.
3. I drafted the written warning letter for unsatisfactory job performance dated May 28, 2019 and issued it to Angelo Lopes. This letter was necessary due to the unsatisfactory job performance for the reasons identified therein.
4. Plaintiff's job performance did not improve in any way after he received the warning letter. His job deficiencies continued unchanged and he engaged in gross insubordination after he received the letter.

5. As a result of Plaintiff's outright refusal to attempt to improve his job performance in the ways he was instructed in the warning letter, I informed Plaintiff he was terminated on or about June 14, 2019. Shortly thereafter I drafted and sent Plaintiff a termination letter, dated June 20, 2019, explaining the reason for his termination.

6. At no point during his employment did Plaintiff raise complaints regarding alleged violations of the NYLL for failure to provide wage statements with the issuance of wages.

7. I was never informed by any other individual that Plaintiff had complained to them about alleged violations of the NYLL nor any other law.

Dated: April 30, 2021
New York, NY

A handwritten signature in black ink, appearing to be 'Moshe Gold', written above a horizontal line.

Moshe Gold